

Message

From: Golightly-Howell, Velveta [Golightly-Howell.Velveta@epa.gov]
Sent: 4/5/2014 12:20:17 AM
To: Kenney, James [Kenney.James@epa.gov]; Wooden-Aguilar, Helena [Wooden-Aguilar.Helena@epa.gov]; Jonathan M. Stein [Ex. 6 Personal Privacy (PP)]
CC: Rhodes, Julia [Rhodes.Julia@epa.gov]; Gsell, Alyssa [Gsell.Alyssa@epa.gov]
Subject: Re: Agenda and Alternative Dispute Resolution Materials

Sounds good Jim. Thank you. V

From: Kenney, James
Sent: Friday, April 04, 2014 7:36:22 PM
To: Golightly-Howell, Velveta; Wooden-Aguilar, Helena; Jonathan M. Stein
Cc: Rhodes, Julia; Gsell, Alyssa
Subject: Fw: Agenda and Alternative Dispute Resolution Materials

Hi Velveta and Helena,
 Per our discussions today, please see the email below from Earthjustice. I will catch up Jonathan and OGC next week on the path forward we discussed.

Thanks,
 Jim

 Jim Kenney
 Acting Associate Director
 Title VI Program
 Office of Civil Rights
 Desk: (202) 564-4027
 Cell: (202) 809-8786

From: Kenney, James
Sent: Friday, April 4, 2014 7:33:32 PM
To: Marianne Engelman Lado
Cc: Lisa Evans; Matthew Baca; Debra Mayfield
Subject: Re: Agenda and Alternative Dispute Resolution Materials

Hi Marianne,
 Thank you for your email. Your email does not raise any concerns. As I mentioned on the phone today, I anticipate providing you with a status update in approximately two weeks.

Thank you,
 Jim

 Jim Kenney
 Acting Associate Director
 Title VI Program
 Office of Civil Rights
 Desk: (202) 564-4027
 [Ex. 6 Personal Privacy (PP)]

From: Marianne Engelman Lado <mengelmanlado@earthjustice.org>
Sent: Friday, April 4, 2014 4:37:23 PM
To: Kenney, James
Cc: Lisa Evans; Matthew Baca; Debra Mayfield
Subject: RE: Agenda and Alternative Dispute Resolution Materials

Jim,

This email is intended to confirm that complainants are interested in exploring Alternative Dispute Resolution to resolve the Title VI complaint filed regarding the permitting of Arrowhead Landfill by Alabama Department of Environmental Management (ADEM).

Based on our earlier discussion on March 12, it's our understanding that if both sides agree to move forward with ADR, the process would start with the convenor, who would help to identify the facilitator/mediator.

We also understand that the process is voluntary, and, as a next step, it is contingent on ADEM's interest in participating.

One of our concerns is that we may not have access to information and/or that DENR might have expertise that would make the conversation one-sided. We raised the question of funding for data and/or technical assistance during our conversation on March 12 and understand that, depending on the need, EPA support for such assistance is possible.

Another concern is whether the time and location of any negotiations will be feasible for complainants, given that EPA does not underwrite the cost of their travel to participate in ADR. We can discuss any such constraints with the convenor and/or facilitator/mediator, but I wanted to raise the issue at the front end, as well. We understand that the cost of the facilitator, including the facilitator's travel, are covered by EPA.

Please let me know if this email raises any question. I look forward to hearing about whether ADEM expresses interest and any next steps.

Best,

Marianne

Marianne Engelman Lado
Managing Attorney, Northeast Office
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48 Wall Street, 19th Floor
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Ex. 6 Personal Privacy (PP)

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From: Kenney, James [mailto:Kenney.James@epa.gov]
Sent: Tuesday, March 11, 2014 10:29 AM
To: Marianne Engelman Lado
Cc: Stein, Jonathan; Matthew Baca; Lisa Evans
Subject: Re: Agenda and Alternative Dispute Resolution Materials

Hi Marianne,

I understand and that makes sense. I saw the meeting tomorrow as an opportunity for us to discuss ADR with you so you could then share our discussions with your clients. We did not have an expectation that you would have consulted with your clients before our meeting. That said, I apologize for getting you these materials so close to our meeting.

Thanks,

Jim

Jim Kenney
Acting Associate Director
Title VI Program
Office of Civil Rights
Desk: (202) 564-4027

Ex. 6 Personal Privacy (PP)

From: Marianne Engelman Lado <mengelmanlado@earthjustice.org>
Sent: Tuesday, March 11, 2014 9:31:22 AM
To: Kenney, James
Cc: Stein, Jonathan; Matthew Baca; Lisa Evans
Subject: RE: Agenda and Alternative Dispute Resolution Materials

James,

Thanks so much for the information, which we look forward to reviewing.

Given the late date, I'm unlikely to be able to consult with the clients with any depth about the possibility of ADR between now and our meeting tomorrow. I'm happy to go ahead and check in tomorrow, particularly if you have some thoughts or can shed any additional light on the ADR process.

Thanks again,

Marianne

From: Kenney, James [mailto:Kenney.James@epa.gov]
Sent: Monday, March 10, 2014 9:51 PM
To: Marianne Engelman Lado
Cc: Stein, Jonathan
Subject: Agenda and Alternative Dispute Resolution Materials
Importance: High

Hi Marianne,

Thank you for the discussions on February 14, 2014 regarding your client's complaint alleging Title VI violations against the Alabama Department of Environmental Management (ADEM) in connection with the Arrowhead Landfill in Uniontown, Alabama (EPA File No. 12R-13-R4). Attached to this email, please find the agenda for our meeting on Wednesday, March 12 and materials on Alternative Dispute Resolution (ADR), as well as the Greenaction settlement. We look forward to speaking with you.

Should you have any questions, please do not hesitate to contact me.

Thank you,
Jim Kenney

James C. Kenney
Acting Assistant Director
Title VI Program | Office of Civil Rights
Desk: (202) 564-4027

Ex. 6 Personal Privacy (PP)

Email: kenney.james@epa.gov
www.epa.gov

Report environmental violations: www.epa.gov/compliance/complaints/index.html

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